

Appendix A

Early Learning Requirements and Opportunities in the ESEA and Related Programs

This is not intended to be an exhaustive list of early learning opportunities under the ESEA, nor does it include all of the specific requirements for each program. It is a summary of some of the areas in which funds may or must be used to support early learning.

Title/Section	Instance	Required	Allowable/Possible ⁴⁶
Title I, Part A Sec. 1111(a)(1)(B)	SEA Plan ⁴⁷	SEAs must coordinate with other programs that provide services for young children, including the <i>IDEA</i> , CCDBG, and Head Start, among other programs.	
Title I, Part A Sec. 1111(c)	SEA Plan		In its State plan, an SEA must describe a Statewide accountability system that includes not less than one indicator of school quality or student success, which State may be of the State's choosing. This indicator must allow for meaningful differentiation in school performance and is valid, reliable, comparable, and Statewide (e.g., an early learning measure).
Title I, Part A Sec. 1111(g)(1)(A)	SEA Plan	SEAs must describe in their State <i>Title I</i> plans how the State will provide assistance to LEAs and schools choosing to use <i>Title I</i> funds to support early childhood education programs.	
Title I, Part A Sec. 1111(h)(1)(C)(viii)(II)(aa), (h)(2)(C)	SEA and LEA Report Cards	SEAs and LEAs must include on their report cards the number and percentage of students enrolled in preschool programs.	
Title I, Part A Sec. 1112(b)(8)	LEA Plan	LEAs must describe in their <i>Title I</i> plans, if applicable, how they will support, coordinate, and integrate <i>Title I</i> services with early childhood education programs at the LEA or school level, including plans for the transition of children to elementary school.	
Title I, Part A Sec. 1112(c)(7)	LEA Assurances	An LEA's <i>Title I</i> plan must provide an assurance that the LEA will, if it uses funds to provide early childhood education, ensure that programs comply with the Head Start education performance standards.	
Title I, Part A Sec. 1113(c)(5)	Eligible School Attendance Areas		An LEA may reserve funds to provide early childhood education programs for eligible children.
Title I, Part A Sec. 1114(b)(7)(A)(iii)(V)	Schoolwide Program Plan		A school operating a <i>Title I</i> schoolwide program must develop a comprehensive plan that includes a description of the strategies that the school will be implementing. This may include strategies for assisting preschool children in the transition from early childhood education programs to local elementary school programs.

⁴⁶ All competitive grants are voluntary, and SEAs, LEAs, and other eligible entities are not required to compete for a competitive grant.

⁴⁷ The Department has published proposed regulations on this topic and intends to provide further guidance when the regulations are final.

Title/Section	Instance	Required	Allowable/Possible⁴⁶
Title I, Part A Sec. 1114(c)	Schoolwide Program Preschool Programs		A school that operates a schoolwide program may use funds to establish or enhance preschool programs for children under 6 years of age.
Title I, Part A Sec. 1003	School Improvement		An LEA may, for example, address the needs of children from birth through third grade as a school improvement strategy to improve student achievement, instruction, and schools.
Title I, part A Sec. 1115(b)(2)(C)	Targeted Assistance School Program		A targeted assistance school may use funds to assist preschool children in the transition from early childhood education programs to elementary school programs.
Title I, Part A Sec. 1116(a)(3)(D)(i)	Parent and Family Engagement		An LEA may use funds reserved for parent and family engagement to support schools and nonprofit organizations in providing family engagement professional development. This may be provided jointly to elementary school staff, early childhood educators, and parents and family members.
Title I, Part A Sec. 1117	Participation of children enrolled in private schools	LEAs receiving <i>Title I</i> funds must provide equitable services to eligible private elementary and secondary school children and their teachers and families. This includes preschool children in States that consider preschool to be part of elementary education under State law. In a State that does not consider preschool to be part of elementary education, however, children in a private preschool are not receiving elementary education and, thus, are not entitled to receive equitable services under <i>Title I</i> .	Although preschool children generally are not entitled to receive equitable services, if they reside in a participating <i>Title I</i> school attendance area and attend a private elementary school in which school-age children are entitled to equitable services, the preschool children and their teachers and families may receive <i>Title I</i> services. Whether such preschool children will receive services is based on timely and meaningful consultation between the LEA and private school officials, taking into consideration the needs of preschool children and other eligible children in the private school and the amount of funding available to provide services.
Title I, Part A Sec. 1119(a) and (b)	Coordination with Early Childhood Programs	Each LEA receiving <i>Title I</i> funds must develop agreements and carry out coordination activities with Head Start agencies and, if feasible, other early childhood development programs.	
Title I, Part C Sec. 1304(c)(4)	Migrant Education	The State must provide an assurance that it has and will address the unmet education needs of preschool migratory children.	
Title II, Part A Sec. 2101(c)(4)(B)(xvi)	State Uses of Funds Activities		States may use funds to support opportunities for joint professional development for elementary school educators and early childhood education program educators to address the transitions from early childhood programs to elementary school and school readiness.
Title II, Part A Sec. 2103(b)(3)(G)(i) and (ii)	LEA Uses of Funds Activities		LEAs may use funds to increase the knowledge base of teachers, principals, or other school leaders on instruction in the early grades and on strategies to measure whether young children are progressing; and the ability of principals or other school leaders to support school and preschool program educators to meet the needs of students through age 8, including through joint professional learning and planning activities that address the transition to elementary school.

Title/Section	Instance	Required	Allowable/Possible⁴⁶
Title II, Part A sec. 2103(b)(3)(J)	LEA Uses of Funds Activities		LEAs may provide training to support the identification of students who are gifted and talented, and the implementation of instructional practices that support the education of such students, including early entrance to kindergarten.
Title II, Part B, Subpart 2 Sections 2222-2224	Comprehensive Literacy State Development Grants Under the Literacy Education for All, Results for the Nation (LEARN)(formerly known as Striving Readers Comprehensive Literacy Program)	States receiving these competitive grants must use 15 percent of subgranted funds for State and local programs and activities to support high-quality early literacy initiatives for children from birth through kindergarten entry and 40 percent of subgranted funds for State and local programs and activities to support children in kindergarten through grade five.	
Title II, Part B Sec. 2226	Innovative Approaches to Literacy		LEAs, BIE, and nonprofit organizations may use funds for literacy programs, including early childhood literacy, in low-income communities.
Title III, Part A Sec. 3112	Native American and Alaska Native Children in School Program		Grants may support the teaching, learning, and studying of Native American/Alaska Native languages while also increasing the English language proficiency of students in preschool, elementary, secondary, and postsecondary levels or combinations of these levels.
Title III, Part A Sec. 3115	Subgrants to Eligible Entities		Grants may be used to develop and implement effective preschool, elementary school, or secondary school language instruction educational programs that are coordinated with other relevant programs and services. Use of funds must be supplemental to other federal, State, or local funds.
Title III, Part A Sec. 3131(c)(1)(C)(6)	National Professional Development Project		Institutions of higher education or public or private entities (in consortia with SEAs or LEAs) may use funds to support professional development strategies that promote school readiness of ELs and their transition from early childhood education programs to elementary school.
Title IV, Part A	Student Support and Academic Enrichment Grants		Grants may be used to improve students' academic achievement by increasing the capacity of States, LEAs, schools, and local communities to (1) provide all students with access to a well-rounded education; (2) improve school conditions for student learning; and (3) improve the use of technology in order to advance the academic achievement and digital literacy of all students. Grants may support students in all grades.
Title IV, Part B	21st Century Community Learning Centers		Grants may be used to provide opportunities for communities to establish or expand activities in community learning centers that (1) provide opportunities for academic enrichment to help students meet the challenging State academic standards; (2) offer students a broad array of additional services, programs, and activities; and

Title/Section	Instance	Required	Allowable/Possible⁴⁶
			(3) offer families opportunities for active and meaningful engagement in their children's education. Grants may support students in all grades.
Title IV, Part D Sec. 4407(a)(3)	Magnet Schools Assistance		Grant funds may be used by an LEA, or LEA consortium, for the compensation, or subsidization of the compensation, of elementary school and instructional staff to conduct programs in magnet schools.
Title IV, Part C Sec. 4302(a)	Charter School Program		A charter school may serve early childhood, elementary school, or secondary school students.
Title IV, Part F Sec. 4611	Grants for Education Innovation and Research		Grants may, for example, be used to support early learning, and must be used to (A) create, develop, implement, replicate, or take to scale entrepreneurial, evidence-based, field-initiated innovations to improve student achievement and attainment for high-need students; and (B) rigorously evaluate such innovations.
Title IV, Part F Sec. 4624(d)(2)	Promise Neighborhoods	These competitive grants must be used to implement pipeline services—that is, a continuum of coordinated supports, services, and opportunities for children from birth through entry into and success in postsecondary education, and career attainment, that must include, at a minimum, high-quality early childhood education programs.	
Title IV, Part F Sec. 4625(e)(1)	Full-Service Community Schools		Grants must be used to coordinate not less than three existing pipeline services, and provide not less than two additional pipeline services at two or more public elementary schools or secondary schools (pipeline services selected may include high-quality early childhood education programs).
Title IV, Part F Sec. 4642	Assistance for Arts Educators		Awards may, for example, be used to promote school readiness through the development and dissemination of accessible instructional materials and arts-based educational programming.
Title IV, Part F Sec. 4643	Ready to Learn Television	These competitive grants are to promote school readiness through the development and dissemination of accessible instructional programming for preschool and elementary school children and their families.	
Title IV, Part F Sec. 4644	Supporting High-Ability Learners and Learning		Awards to promote support for high-ability learners and high-ability learning.
Title V, Part B, Subpart 1, Sec. 5211	Small, Rural School Achievement Program		An LEA may use funding to carry out local activities authorized under any of the following provisions, including early learning activities to the extent they are authorized: (A) Part A of <i>Title I</i> . (B) Part A of <i>Title II</i> . (C) <i>Title III</i> . (D) Part A or B of <i>Title IV</i> .
Title V, Part B Subpart 2, Sec. 5221	Rural and Low-Income School Program		An LEA may use funds for any of the following, including early learning activities to the extent they are authorized: (1) Activities authorized under Part A of <i>Title I</i> (2) Activities authorized under Part A of <i>Title</i>

Title/Section	Instance	Required	Allowable/Possible⁴⁶
			<i>II</i> (3) Activities authorized under <i>Title III</i> (4) Activities authorized under Part A of <i>Title IV</i> (5) Parental involvement activities
Title VI, Part A Sec. 6115 (b)(3)	Indian Education Grants		LEAs may use funds to support early childhood programs that emphasize school readiness.
Title VI, Part A Sec. 6121 (c)(7)	Demonstration Grants for Indian Children		Grants may be used to support early childhood education programs that are effective in preparing young children to make sufficient academic growth by the end of grade three, including kindergarten and pre-kindergarten programs, family-based preschool programs that emphasize school readiness, screening and referral, and the provision of services to Indian children and youths with disabilities.
Title VI, Part A Sec. 6122	Indian Education - Professional Development for Teachers and Education Professionals		Grants to IHEs to provide training to qualified American Indians to become teachers, administrators, social workers, and specialized instructional support personnel; and improve the skills of those qualified American Indians who already serve in these capacities. Professional development grants may be used to support early learning only if the State in which the grant participant is seeking teacher certification has a requirement that early learning teachers be certified.
Title VI, Part B Sec. 6205 (3)(A), (B), and (C)	Native Hawaiian Education Program		Nonprofit or other organizations and agencies may use funds to support a Statewide Native Hawaiian early education and care system, and to operate family-based education centers, and for research.
Title VI, Part C Sec. 6304 (a)(3)(C)	Alaska Native Education Program		Nonprofit or other organizations and agencies may use funds to support early childhood and parent education programs that improve school readiness.
Title VIII, Part F, Subpart 1 Sec. 8501- 8504	Participation of Children Enrolled in Private Schools	SEAs, LEAs, or other entities receiving federal financial assistance under applicable programs must provide equitable services to eligible private school participants in elementary and secondary schools. This includes preschool children in States that consider preschool to be part of elementary education under State law. In a State that does not consider preschool to be part of elementary education, however, children in a private preschool are not entitled to receive equitable services under applicable programs. Applicable programs include <i>Title I</i> , Part C, Education of Migratory Children; <i>Title II</i> , Part A, Supporting Effective Instruction; <i>Title III</i> , Part A, English Language Acquisition, Language Enhancement, and Academic Achievement; <i>Title IV</i> , Part A, Student Support and Academic Enrichment Grants; and <i>Title IV</i> , Part B, 21st-Century Community Learning Centers.	Although preschool children generally are not entitled to receive equitable services, if preschool children attend a private elementary school in which school-age children are entitled to equitable services, the preschool children, their teachers, and other educational personnel may receive services. Whether such preschool children, their teachers, and other educational personnel will receive services is based on timely and meaningful consultation between the LEA and private school officials, taking into consideration the needs of preschool children and eligible educational personnel in the private school and the amount of funding available to provide services.

Title/Section	Instance	Required	Allowable/Possible⁴⁶
<i>Title VII-B of the McKinney-Vento Homeless Assistance Act</i>	<i>McKinney-Vento Education for Homeless Children and Youths Program</i>	SEAs must use funds to help ensure that homeless children, including preschoolers, have equal access to free, appropriate public education.	
<i>Title IX, Part B Sec. 9212 of the ESSA</i>	Preschool Development Grants	These competitive grants support States to develop, update, or implement a strategic plan that facilitates collaboration and coordination among early childhood education programs and improves transitions to elementary school; encourage partnerships among early childhood education providers; and maximize parental choice.	